IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

FEB 1 4 2012

DONALD LEE DUNCAN,	WILLIAM GUTHRIE Clerk 10 same Court
Petitioner,	Deputy Clerk
v.	No. CIV 11-212-RAW-KEW
STATE OF OKLAHOMA,	
Respondent.	

OPINION AND ORDER DENYING CERTIFICATE OF APPEALABILITY

On this date the court dismissed petitioner's petition for a writ of habeas corpus as successive. After careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). *See also* 28 U.S.C. § 2253(c).

Accordingly, petitioner is denied a certificate of appealability. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

IT IS SO ORDERED this ______ day of February 2012.

RONALD A. WHITE

UNITED STATES DISTRICT JUDGE